

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STEVEN CLARK THOMAS,

Plaintiff,

vs.

CIV. NO. 1:17-cv-00342-KBM

NANCY A. BERRYHILL,  
Acting Commissioner of  
Social Security,

Defendant.

ORDER

*KBM his*  
Defendant, the Acting Commissioner of Social Security (Commissioner), by and through her counsel, has filed an unopposed motion with this Court, pursuant to sentence four of 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the case to the Commissioner for further administrative proceedings.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a REMAND to the Commissioner for further administrative proceedings.<sup>1</sup> See *Shalala v. Schaefer*, 509 U.S. 292 (1993).

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~~The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.~~ *KBM*

DATED this 16<sup>th</sup> day of October, 2017.

BY THE COURT:

A handwritten signature in blue ink, reading "Karen B. Molzen", is written over a horizontal line.

SUBMITTED AND APPROVED BY:

*Electronically submitted 10/16/2017*  
STEPHANIE LYNN F. KILEY  
Special Assistant United States Attorney

**KAREN B. MOLZEN**  
**U.S. MAGISTRATE JUDGE**

*Electronically submitted 10/16 /2017*  
MICHAEL LIEBMAN  
Attorney for Plaintiff